



## **Fund 8060: Attorney General Financial Crimes Trust Fund**

### **Report to the EOCJ Appropriations Sub-committee (Sept. 2015)**

#### **History and Purpose of the Fund**

The Financial Crimes Trust Fund is a temporary holding account for money received as court ordered restitution for victims of consumer fraud. The fund has not been created in statute, and little written documentation is available on the purpose for the fund. The historical use of the fund has been consistent as described above. Restitution orders by the court vary widely from year to year and case to case. Thus, wide fluctuations in the fund balance are common. All money going to or coming out of the fund goes toward restitution to victims. Costs of administering the fund are covered by a federal grant (Victim Restitution VOCA grant), which pays for 1.5 FTEs.

#### **Legislative Request for Reporting & Oversight**

During the 2014 General Session of the Legislature a recommendation was made that this fund be reviewed annually in order to raise the awareness level. This report is the second annual report which results from that recommendation.

#### **Restitution Orders Received, Distribution of Restitution, and Fund Balances**

As mentioned above, orders for restitution can vary widely by case, and resulting activity in this fund also varies greatly as a result. Over the last ten years restitution moving in and out of the fund has been as high as over \$2.5 million, to as low as about \$700,000 in a given year. Attached is a history of restitution received and paid out from the fund, as well as end of fiscal year fund balances.

#### **Performance, Results and Accomplishments**

The Victim Restitution (VOCA) program currently has 164 active cases, as well as 28 closed cases. To date, for both active and closed cases, the program has collected a total of \$10,876,399. Funds are tracked in a database, to accurately record funds coming in and to track payments to victims. Currently the program is serving 16,073 victims of theft/fraud crimes in these active cases. In total, 16,740 victims are being served (including crimes such as survivors of homicide, assault, adults molested as children, and robbery/burglary, with both primary and secondary victims involved).

## Federal Funding to Administer the Program/Fund

Each year the Attorney General's Office receives a federal grant to cover the costs of administering this fund and distributing restitution to victims. In the last few years these federal funds have been decreasing slightly. The office has been able to absorb the grant cuts due to retirement of the former manager of this program, and subsequently filling this position with an employee that was less senior, and paid less. Although the federal government has regularly funded the annual grant to run this program, there is no guarantee that they will choose to continue to fund these efforts indefinitely. If grant funds were to dry up the Legislature would need to decide whether to fund these efforts.

## Attorney General Financial Crimes Trust Fund

	<u>REVENUE</u>	<u>EXPENDITURE</u>	<u>BALANCE</u>
SFY2008	\$2,585,670	\$2,330,856	\$734,519
SFY2009	\$583,344	\$651,720	\$666,143
SFY2010	\$867,279	\$1,167,605	\$365,817
SFY2011	\$650,344	\$608,249	\$407,912
SFY2012	\$760,227	\$713,532	\$454,607
SFY2013	\$883,892	\$863,059	\$475,440
SFY2014	\$1,493,057	\$1,537,024	\$431,473
SFY2015	\$697,533	\$676,818	\$452,188

